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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/988,301	11/19/2001	Yves Audebert	L741.01109	8432

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EXAMINER

CERVETTI, DAVID GARCIA

ART UNIT	PAPER NUMBER
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2136

DATE MAILED: 03/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/988,301	Applicant(s) AUDEBERT ET AL.	
	Examiner David G. Cervetti	Art Unit 2136	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant's arguments filed December 27, 2005, have been fully considered but they are not persuasive.
2. Claims 1-15 are pending and have been examined.

Response to Amendment

3. The objection to the drawings is withdrawn.
4. The objection to the disclosure is withdrawn.
5. The objections to claims 1 and 11 are withdrawn.
6. The rejection of claim 8 under 35 USC § 112 2nd paragraph is withdrawn.
7. Claims 1-14 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Herrendoerfer et al. (US Patent Number 6,481,621, hereinafter "**Herrendoerfer**"), and further in view of Brown et al. (US Patent Number 5,941,947, hereinafter "**Brown**").
8. Examiner submits that to transfer data to a memory cache prior to requests for that data was conventional and well known (Ali et al., US Patent 5,896,506, hereinafter "**Ali**", Summary of the Invention) since it does not require the memory cache to retrieve/fetch the data upon receiving a request for it, thus reducing response time. Thus, implementing such teachings on any system that facilitates access to resources from a client would have been obvious. Regarding Applicant's argument that Herrendoerfer's proxy server does not act as a cache server, Examiner directs Applicant's attention the fact that just a specific component of the system of Herrendoerfer behaves like a non-caching proxy server, that is the "proxy request broker", not the system as a whole (column 3). Furthermore, Herrendoerfer clearly

teaches the conventional and well known techniques of using cache/proxy servers to speed up access to resources (columns 1-2). Therefore, the fact that the claimed invention is directed to a "PSD" is not persuasive in view of the prior art since the teachings of the prior art clearly read on the claimed subject matter.

Claim Rejections - 35 USC § 103

9. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

10. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Herrendoerfer, and further in view of Brown and Ali.

Regarding claim 1, Herrendoerfer teaches a client including at least a data storage section, a data processing section, and an I/O port for functionally connecting to a PSD (column 5, lines 1-67), wherein: said data processing section allocates and reserves storage space in said data storage section of said client for use as a memory cache (column 5, lines 1-67); said data processing section includes a cache server program for managing data stored inside said PSD (column 2, lines 45-67, column 3, lines 1-60), wherein said cache server program includes a first section that transfers at least a portion of said data stored inside said PSD to said memory cache (column 5, lines 1-67); and transfers at least a portion of said cached data to said at least one requesting program (column 5, lines 1-20). Herrendoerfer does not expressly disclose retaining access rights or verifying access rights. However, Brown teaches retains access rights associated with said transferred data and intercepts requests for data contained in the PSD from at least one requesting program having access rights to at

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least a portion of said transferred data and verifies access rights of said at least one requesting program (column 7, lines 60-67, column 8, lines 1-14). Ali teaches a cache server and a first section is activated independently from and prior to said second section (columns 9-10). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to cache (retain) access rights to use for verification purposes and to pre-fetch resources within the system of Herrendoerfer. One of ordinary skill in the art would have been motivated to do so to provide means for rapidly determining access rights to data (Brown, column 3, lines 25-45) and to improve response time (Ali, columns 4-5).

Regarding claim 9, Herrendoerfer teaches functionally connecting a PSD including at least some data to a client, wherein said client includes at least a data storage section, a data processing section, and an I/O port (column 5, lines 1-67), executing a cache server program in said client (column 2, lines 45-67, column 3, lines 1-60), allocating storage space in said data storage section for use in caching said at least some data in a memory cache (column 5, lines 1-20), accessing said PSD through said I/O port by said cache server program (column 5, lines 1-20), transferring said at least some data from said PSD to said memory cache (column 5, lines 1-20), transferring at least a portion of said cached data to said at least one requesting program (column 5, lines 1-20). Herrendoerfer does not expressly disclose retaining access rights or verifying access rights. However, Brown teaches retaining access rights to said at least some data by said cache server program, intercepting requests for data contained in the PSD from at least one requesting program having access rights to

at least a portion of said transferred data, and verifying said access rights by of said at least one requesting program (column 7, lines 60-67, column 8, lines 1-14). Ali teaches transferring said at least some data from said PSD to said memory cache and retaining access rights are executed before and independently from intercepting requests, verifying said access rights and transferring at least a portion of said cached data to said at least one requesting program (columns 9-10). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to cache (retain) access rights to use for verification purposes and to pre-fetch resources within the system of Herrendoerfer. One of ordinary skill in the art would have been motivated to do so to provide means for rapidly determining access rights to data (Brown, column 3, lines 25-45) and to improve response time (Ali, columns 4-5).

Regarding claim 2, the combination of Herrendoerfer, Brown, and Ali teaches the limitations as set forth under claim 1 above. Furthermore, Herrendoerfer teaches wherein said client includes a cryptography section and said cache server program cryptographically protects said data transferred from said PSD to said memory cache using said cryptography section (column 5, lines 15-63).

Regarding claim 3, the combination of Herrendoerfer, Brown, and Ali teaches the limitations as set forth under claim 1 above. Furthermore, Herrendoerfer teaches wherein said cache server program removes said cryptographic protection from said data being transferred to said at least one requesting program (column 5, lines 15-63).

Regarding claim 10, the combination of Herrendoerfer, Brown, and Ali teaches the limitations as set forth under claim 9 above. Furthermore, Herrendoerfer teaches

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assigning exclusive rights to said I/O port and said memory cache to said cache server program (column 2, lines 45-67, column 3, lines 1-60), cryptographically protecting said data transferred from said PSD to said memory cache (column 5, lines 15-63), and removing said cryptographic protection from said data transferred to said at least one requesting program (column 5, lines 15-63).

Regarding claims 4 and 12, the combination of Herrendoerfer, Brown, and Ali teaches the limitations as set forth under claims 1 and 10 respectively above. Furthermore, Brown teaches wherein said memory cache is flushed upon a status change (column 28, lines 45-65).

Regarding claim 5, the combination of Herrendoerfer, Brown, and Ali teaches the limitations as set forth under claim 1 above. Furthermore, Brown teaches said cache server program is assigned exclusive rights to said assigned I/O port and said memory cache (column 7, lines 60-67, column 8, lines 1-14) and Examiner takes Official Notice that releasing exclusive rights to resources upon status changes was conventional and well known; i.e. releasing exclusive rights a file system holds on a file upon a status change (file deletion) was well known in the art. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to release exclusive rights to an assigned I/O port and a memory cache since Examiner takes Official Notice that it was conventional and well known.

Regarding claim 13, the combination of Herrendoerfer, Brown, and Ali does not expressly disclose releasing the exclusive rights upon a status change. However, Examiner takes Official Notice that releasing exclusive rights to resources upon status

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changes was conventional and well known; i.e. releasing exclusive rights a file system holds on a file upon a status change (file deletion) was well known in the art. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to release exclusive rights to an assigned I/O port and a memory cache since Examiner takes Official Notice that it was conventional and well known.

Regarding claims 6 and 14, the combination of Herrendoerfer, Brown, and Ali teaches the limitations as set forth under claims 4 and 12 respectively above. Furthermore, Brown teaches wherein said status change includes logout of an end user, attempted login of a second end user, rebooting of said client, or encountering an error situation (column 28, lines 45-65). Furthermore, it was conventional and well known for cache algorithms/implementations to flush the cache when some time has elapsed, rebooting, logout of users, attempted logins, errors, fatal errors.

Regarding claim 7, the combination of Herrendoerfer, Brown, and Ali does not expressly disclose wherein said cache server program is executed following successful end user validation by said PSD. However, Examiner takes Official Notice that authenticating users prior to them accessing data stored in a PSD was conventional and well known. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to validate users prior to cache server accessing PSD since Examiner takes Official Notice that it was conventional and well known.

Regarding claim 8, the combination of Herrendoerfer, Brown, and Ali teaches the limitations as set forth under claim 1 above. Furthermore, Brown teaches where said memory cache is volatile memory (column 28, lines 29-65).

Regarding claim 11, the combination of Herrendoerfer, Brown, and Ali does not expressly disclose wherein said cache server program is executed following successful personal identification number validation by said PSD. However, Examiner takes Official Notice that authenticating users prior to them accessing data stored in a PSD was conventional and well known. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to validate users prior to cache server accessing PSD since Examiner takes Official Notice that it was conventional and well known.

Regarding claim 15, the combination of Herrendoerfer, Brown, and Ali teaches the limitations as set forth under claim 1 above. Furthermore, Brown teaches wherein said cache server program is assigned exclusive rights to said I/O port and said memory cache (column 7, lines 60-67, column 8, lines 1-14).

Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David G. Cervetti whose telephone number is (571) 272-5861. The examiner can normally be reached on Monday-Friday 7:00 am - 5:00 pm, off on Wednesday.

13. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

14. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DGC

CHRISTOPHER REVAH
PRIMARY EXAMINER

CR 3/18/06